The Hon'ble Sri H. C. DASAPPA. (Leader of the House)—Sir, I shall strive my utmost to see that all the answers are furnished. It is quite likely that some of them may require collection of a lot of material. But in any case I will make my honest best to see that answers are furnished to all those questions remaining over.

LEGISLATIVE BUSINESS.

The Mysore Race Courses Licensing Bill, 1951.

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa)—The Mysore Race Courses Licensing Bill, 1951, as reported by the Select Committee.

Motion to consider.

The Hon'ble Sri T. MARIAPPA.—Sir, I move ;

"That the Mysore Race-Courses Licensing Bill, 1951, as reported by the Select Committee, be taken into consideration."

Sir, the Select Committee has made very minor changes keeping intact the scheme of the Bill. The main purpose of the Bill, as I said last time, is to license Race Courses and those people who are connected with racing. With these few words, I request that the Hon'ble House may kindly take the Report of the Select Committee into consideration.

Mr. SPEAKER.—Motion moved:

"That the Mysore Race-Courses Licensing Bill, 1951, as reported by the Select Committee, be taken into consideration."

* ಶ್ರೀ ಟಿ. ಮಾದಯ್ಯಗೌಡರು (ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ).—ಸ್ವಾಮಿ, ಈ ತೆರನಾದ ಒಂದು ಮಸೂದೆ ಈ ಸಭೆಯ ಮುಂದೆ ಬಂದು ಕಾನೂನಾಗುತ್ತಿರುವುದು ಇದೇ ಮೊದಲನೆಯ ಸಲ. ನಮ್ಮ ದೇಶದಲ್ಲಿ ಕುದುರೆ ಜೂಜಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಕಾನೂನು ಬೇರೆ ಇರಲಿಲ್ಲ. ಇದ್ದರೂ ಕೂಡ ತೆರಿಗೆಗಳನ್ನು ವಿಧಿಸುವುದು ವತ್ತು ಪೋಲೀಸ್ ಆಕ್ಟ್ ಪ್ರಕಾರ ಯಾವ ವಿಧದಲ್ಲಿ ಹತೋಟಿಗೊಳಪಡಿಸಬೇಕೋ ಅದನ್ನು ಮಾಡಲು ಮಾತ್ರ ಇತ್ತು. ಸ್ಥೂಲವಾಗಿ ಎಲ್ಲ ಅಂಶಗಳನ್ನೂ ಒಳಗೊಂಡ ಒಂದು ಮಸೂದೆ ಈ ವಿಚಾರದಲ್ಲಿ ಅಗತ್ಯವೆಂದು ಭಾವಿಸಿ ಸರ್ಕಾರದವರು ಇದನ್ನು ತಂದಿರುವುದು ನ್ಯಾಯವೂ ಸರ್ವಸಮ್ಮತವೂ ಆಗಿದೆ. ಈ ವಿಧವಾದ ಕಾನೂನು ಇತರ ಕೆಲವು ಸಂಸ್ಥಾನಗಳಲ್ಲಿ ಜಾರಿಗೆ ಬಂದಿದೆ. ಈ ಕಾನೂನಿನಿಂದ ಎಲ್ಲಿ ಕುದುರೆ ಜೂಜು ನಡೆಸುತ್ತಾರೋ ಆ ಪ್ರದೇಶಕ್ಕೆ ಮತ್ತು ಕುದುರೆ ಜೂಜಿನಲ್ಲಿ ಭಾಗವಹಿಸುವುದಕ್ಕೆ ಒಂದು ನಿಬಂಧನೆಯನ್ನು ವಿಧಿಸಿ, ಹತೋಟಿಯಲ್ಲಿಟ್ಟು ಅಲ್ಲಿ ಯಾವ ವಿಧವಾದ ಅನಾನುಕೂಲಗಳೂ ಅಚಾತುರ್ಯಗಳೂ ನಡೆಯದೇ ಇರುವ ಹಾಗೆ ಮಾತುವುದಕ್ಕೆ ಬಹುಮಟ್ಟಿಗೆ ಈ ಮಸೂದೆ ಸಹಾಯಕವಾಗಿದೆ ಎಂದು ಹೇಳಬಹುದು. ಇಷ್ಟೇ ಅಲ್ಲದೆ ಇದರಿಂದ ದೇಶಕ್ಕೆ ಒಂದು ರೀತಿಯಲ್ಲಿ ವರಮಾನ ಕೂಡ ಬರುವುದಾಗಿದೆ. ಈ ಮಸೂದೆಯ ಪ್ರಕಾರ ಯಾರಾದರೂ ಕುದುರೆ ಜೂಜಿನ ಮೈದಾನವನ್ನು ಹೊಂದಿರುವವರು ಅಥವ ಮೈದಾನವನ್ನು ಗುತ್ತಿಗೆ ಅಥವ ಬಾಡಿಗೆಗೆ ಇಟ್ಟುಕೊಂಡು ಜೂಜು ನಡೆಸುವವರು ಸರ್ಕಾರದ ಅಪ್ಪಣೆಯನ್ನು ಪಡೆಯದೆ ನಡೆಸುವ ಹಾಗಿಲ್ಲ. ಹಾಗೆಯೇ ಇದರಲ್ಲಿ ಮತ್ತೊಂದಂಶ ಅಡಕವಾಗಿದೆ. ಅದೇನೆಂದರೆ ಜೂಜಿನ ಸಮಯದಲ್ಲಿ 'ಬುಕ್ಕೀಸ್' ಎಂದು ಹೇಳುತ್ತಾರೆ, ಇದಕ್ಕೆ ನನಗೆ ಕನ್ನಡ ಪದ ಗೊತ್ತಿಲ್ಲ, ಅವರು ಯಾರೆಂಬುದು ಗೊತ್ತಿಲ್ಲ, ಇವರು ವಿಚಿತ್ರವಾಗಿ ಚಮತ್ಕಾರವಾದ ರೀತಿಯಲ್ಲಿ ತಮ್ಮ ಕಾರ್ಯಭಾರ ನಡೆಸುತ್ತಾರೆ. ನಿಮಿಷದಲ್ಲಿ ಸಾವಿರಾರು, ಲಕ್ಷಾಂತರ ರೂಪಾಯಿಗಳ ಹಣದ ವ್ಯವಹಾರ ಇವರಲ್ಲಿ ನಡೆದು ಹೋಗುತ್ತದೆ. ಆದುದರಿಂದ ಇವರನ್ನೆಲ್ಲ ಒಂದು ಹತೋಟಿಗೊಳಪಡಿಸುವುದು ಅಗತ್ಯವೆಂದ ಭಾವಿಸಿರುವುದು ಈ ಮಸೂದೆಯಿಂದ ವ್ಯಕ್ತಪಡುತ್ತದೆ. ಇವರೂ ಕೂಡ 'ಪರ್ಮಿಟ್' ಅಂದರೆ, ಅಪ್ಪಣೆ ಇಲ್ಲದೆ ಈ ವಿಧವಾದ ವ್ಯವಹಾರವನ್ನು ನಡೆಸಬಾರದೆಂದು ಈ ಕಾನೂನಿನಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿದ್ದಾರೆ. ಅಲ್ಲದೆ ಯಾವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಲೈಸೆನ್ಸ್‌ಗಳು ಮತ್ತು ಪರ್ಮಿಟ್‌ಗಳನ್ನು ಕೂಡ ಬಹುದು ಮತ್ತು ಜೂಜಿನ ಪ್ರದೇಶ ಯಾವ ಸ್ಥಿತಿಗತಿಗಳಲ್ಲಿರಬೇಕು ಇವುಗಳೆಲ್ಲವನ್ನು ವಿಮರ್ಶೆ ಮಾಡಿ ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಸರ್ಕಾರದವರು ಲೈಸೆನ್ಸ್ ಕೊಡುವುದು. ಒಂದು ವೇಳೆ ಲೈಸೆನ್ಸ್ ಕೊಟ್ಟ ಮೇಲೆ ಷರತ್ತುಗಳಿಗನುಸಾರವಾಗಿ ಕುದುರೆ ಜೂಜಿನ ವ್ಯವಹಾರ ನಡೆಯದಿದ್ದರೆ ಆಗ ಲೈಸೆನ್ಸ್ ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಈ ಮಸೂದೆಯಲ್ಲಿ ಅವಕಾಶ ಮಾಡಿದ್ದಾರೆ. ಹೀಗೆ ಉತ್ತಮ ರೀತಿಯಲ್ಲಿ ಮಾಡಿರುವ ವತ್ತು ಪ್ರಯೋಜನಕಾರಿಯಾದ ಒಂದು ಮಸೂದೆಯನ್ನು ಸರ್ಕಾರದವರು ಮಂಡಿಸಿದ್ದಾರೆ. ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಕೂಲಂಕಷವಾಗಿ ವಿಮರ್ಶೆ ಮಾಡಿ, ಈಗತಾನೇ ಹೇಳಿದಂತೆ, ಸ್ವಲ್ಪವಾದರೂ ಬಹಳ ಉಪಯುಕ್ತವಾದ ಬದಲಾವಣೆಗಳನ್ನು ಸೂಚನೆ ಮಾಡಿದ್ದಾರೆ. ಈ ಮಸೂದೆಯು ಮತ್ತು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಮಾಡಿರುವ ವರದಿಯೂ ಬಹಳ ಉತ್ತಮವಾಗಿವೆ. ಇದನ್ನು ಸಭೆಯವರು ಅನುಮೋದಿಸಬಹುದೆಂದು ಹೇಳಿ ನಾನು ಈ ಮಸೂದೆಯನ್ನೂ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರ ವರದಿಯನ್ನೂ ಸ್ವಾಗತಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—The question is :

"That the Mysore Race Courses Licensing Bill, 1951, as reported by the Select Committee be taken into consideration."

The motion was adopted.

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* Asterisk indicates that the speech concerned has not been returned approved by the Member concerned.

Mr. SPEAKER.—Clauses 2 to 14, both inclusive. The question is:

"That Clauses 2 to 14, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 14, both inclusive, were added to the Bill.

Mr. SPEAKER.—The question is:

"That the Schedule stand part of the Bill."

The motion was adopted.

The Schedule was added to the Bill.

Mr. SPEAKER.—Clause 1. The question is:

"The Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

The Hon'ble Sri T. MARIAPPA.—Sir, I move:

"That the Mysore Race Courses Licensing Bill, 1951, as reported by the Select Committee, be passed."

Mr. SPEAKER.—The question is:

"That the Mysore Race Courses Licensing Bill, 1951, as reported by the Select Committee, be passed."

The motion was adopted.

Special Motion

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa).—The Special motion *re*: Penalty prescribed under Article 193 of the Constitution in respect of a member.

Penalty prescribed under Article 193 of the Constitution in respect of a member.

The Hon'ble Sri H. C. DASAPPA (Leader of the House).—Sir, I move the following motion.

"Whereas the Hon'ble Speaker has declared that Sri K. R. Sreekanteswar, a Member of this Assembly, is liable to the penalty provided in article 193 for sitting as a Member of this House on the 8th October 1951 before he complied with the requirements of article 188 and that the imposition of the penalty is a matter for the House to determine,

And whereas the Hon'ble Speaker has recommended that in the circumstences of the case the matter may be dropped,

And in view of the explanatory statement made by the Hon'ble Member,

This House resolves that the penalty prescribed by article 193 be not imposed on Sri K. R. Sreekanteswar for sitting as a Member of the House on 8th October 1951 before complying with the requirements of article 188."

Sir, I do not think it requires any arguments on my part to commend this motion for the acceptance of the House. We are of course going on with this democracy in its rather infant stages and it may be very difficult for every member to know the full import and significance of some of his actions and only the House must be satisfied with the explanation offered by the Hon'ble Member and I would ask the House to view this matter generously and accept the motion. But in any case, the law has to take its course and there is a necessity for this House to have a resolution like this formally moved and adopted by the House. I therefore commend the same for the acceptance of the House.

Mr. SPEAKER.—Motion moved:—

"Whereas the Hon'ble Speaker has declared that Sri K. R. Sreekanteswar, a Member of this Assembly, is liable to the penalty provided in article 193 for sitting as a Member of this House on the 8th October 1951 before he complied with the requirements of article 188 and that the imposition of the penalty is a matter for the House to determine,

And whereas to the Hon'ble Speaker has recommended that in the circumstances of the case the matter may be dropped,

And in view of the explanatory statement made by the Hon'ble Member,

This House resolves that the penalty prescribed by article 193 be not imposed on Sr K. R. Sreekanteswar for sitting as a Member of the House on 8th October 1951 before complying with the requirements of article 188."

Sri A. BHEEMAPPA NAIK (Chitaldrug District—General.)—I support this motion with out any speech.

Mr. SPEAKER.—The question is:—

"Whereas the Hon'ble Speaker has declared that Sri K. R. Sreekanteswar, a Member of this Assembly, is liable to the penalty provided in article 193 for sitting as a member of this House on the 8th October 1951 before he complied with the requirements of article 188 and that the imposition of the penalty is a matter for the House to determine,

(SRI A. BHEEMAPPA NAIK.)

And whereas the Hon'ble Speaker has recommended that in the circumstances of the case the matter may be dropped,

And in view of the explanatory statement made by the Hon'ble Member,

This House resolves that penalty prescribed by article 193 be not imposed on Sri K. R. Sreekanteswar for sitting as a Member of the House on 8th October 1951 before complying with the requirements of article 188."

The motion was adopted.

Sri K. R. SREEKANTESWAR (Bangalore City—General).—I must respectfully thank you Sir and through you, Hon'ble Members of the House and the Hon'ble the Leader of the House.

The Payment of Wages (Mysore Amendment) Bill, 1951.

Motion to consider.

The Hon'ble Sri K. T. BHASHYAM (Minister for Law and Labour).—Sir, I move:

"That the Payment of Wages (Mysore Amendment) Bill, 1951, be taken into consideration."

The point that arises in this Bill is that till now we had the Payment of Wages Act of Mysore in operation. We had certain clauses for the benefit of the employees in that Act which are not to be found in the Indian Payment of Wages Act which has now been extended to Mysore. By reason of the extension of the Indian Act, the Mysore Act ceases to be in operation and therefore the employees lose the benefit of the several clauses which were in our Act and which are not to be found in the Indian Act. Since labour legislation is a concurrent subject we are free to amend the Indian Payment of Wages Act as it applies to us in such manner as may be suitable provided we get the permission of the Central Government. Now we have taken their permission and we are tabling this amendment.

The main points which accrue to the benefit of the employees by reason of this amendment are that where a person has taken his provident fund and has gone out of employment and is again re-employed, he loses the benefit of the provident fund, if we do not pass this amendment. If we pass this amendment, we can take back the provident fund given to him and treat it as having been started from the very beginning and he gets an extra advantage.

So also are certain other small deductions which are permissible, deductions specially authorised for the purpose of the benefit of the employed person. For instance, when an employee says that he is a member of a labour association and he wants that the subscription to the labour association may be paid from out of the wages—it is an advantage to the employee to see that it is done by the management itself—such deductions may be permissible. These benefits we want to provide for the employees.

Another thing is this. Where increments are withheld, till now no notice was necessary to be served on the employee. We say that a notice should be given to an employee by the employer before an increment can be withheld and the employee must be heard. So also where an employee is called upon to do some job for which the same wages are not payable, we say that the same wages that he was drawing must be paid irrespective of the fact whether the job which he is called upon now to do is or is not fetching the same wages for anybody else. Supposing an employee is now drawing about Rs. 60 a month. Now he is called upon to do some other job for which only Rs. 40 is being paid to somebody else. It is not open to the employer to say: "You are now called upon to do a duty which fetches Rs. 50". The employer has to give Rs. 60 because it will be treated as a deduction and such deductions are not permissible.

So these are amendments which accrue to the benefit of the employee and we want the employee to have those benefits. Therefore these amendments are proposed. I submit these are not controversial and the Hon'ble Members will give their assent to the Bill.